



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,029	09/29/2000	Jon E. Ramer	5371	2580

7590 08/08/2005

MICHAEL A. RAHMAN
DORSEY & WHITNEY LLP
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101

EXAMINER

PHAN, TAM T

ART UNIT	PAPER NUMBER
----------	--------------

2144

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/672,029

Applicant(s)

RAMER ET AL.

Examiner

Tam (Jenny) Phan

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-38, 42 and 43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35-38, 42 and 43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/11/2005</u> | 6) <input type="checkbox"/> Other: _____ |

tp

8

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/11/2005 has been entered. Claim 35 is currently amended. Claims 42-43 are newly added.
2. Claims 35-38 and 42-43 are presented for examination.

Priority

3. This application claims benefit of the provisional application 60/156,956 (09/30/1999).
4. The effective filing date for the subject matter defined in the pending claims, which has support in provisional application 60/156,956 in this application, is 09/30/1999. Any new subject matter defined in the claims not previously disclosed in provisional application 60/156,956, is entitled to the effective filing date of 09/29/2000.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
6. Claims 35-38 and 42-43 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A system for providing enhanced web-browsing, comprising: a web browser..., a service providers..., a personal site...,

Art Unit: 2144

and an engine... as currently recited in the amended claims is non-statutory, since it is not tangibly embodied in a manner so as to be executable as the only hardware is in an intended use statement. This is true even if providing enhanced web-browsing includes hardware, since it is the intent of the execution of the system and not the system itself that includes such hardware.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 35-38 and 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacNaughton. (U.S. Patent Number 5,796,393), hereinafter referred to as MacNaughton, in view of Li et al. (U.S. Patent Number 6,631,496), hereinafter referred to as Li, and further in view of Burson et al. (U.S. Patent Number 6,405,245), hereinafter referred to as Burson.

9. Regarding claim 35, MacNaughton disclosed a system for providing enhanced web-browsing comprising: a web server including a data double comprising data that identifies a member [membership context, membership data] (Abstract, Figure 5 sign 168, column 8 lines 24-42); service providers that provide service provider content including services and information; a personal site that the member uses to access the service provider content; an engine that processes the data double and the service

Art Unit: 2144

provider content to provide content to the member through the personal site (Abstract, Figures 1-1B, 6, column 1 lines 19-34, column 3 lines 24-34, column 7 lines 15-33).

10. MacNaughton taught the invention substantially as claimed. However, MacNaughton did not expressly teach an engine that processes the service provider content to provide *relevant and meaningful* content to the member through the personal site.

11. MacNaughton suggested exploration of art and/or provided a reason to modify the system with the personalized feature (column 4 lines 24-32, column 7 lines 15-33, column 8 lines 9-23).

12. In an analogous art, Li disclosed an engine that processes the service provider content to provide relevant and meaningful content to the member through the personal site (Title, Abstract, Figures 1, 11, column 5 lines 19-33, column 6 lines 22-31).

13. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of MacNaughton with the teachings of Li to include the personalized feature in order to effectively retrieve content (Li, column 1 lines 32-41) since users would often encountered problems in finding information (Li, column 1 lines 32-41). In addition, personalized content could also provide subscription service, which retrieves user-specified interests (Li, Abstract) since this feature could be used to display specific on-line content that the user has requested to receive (MacNaughton, column 7 lines 31-33).

14. The combination of MacNaughton and Li taught the invention substantially as claimed. However, the combination of MacNaughton and Li did not expressly teach an engine wherein the relevant and meaningful content provided to the member responsive

Art Unit: 2144

to portions of the data provided to the service providers from the web server with permission from the member.

15. Li suggested exploration of art and/or provided a reason to modify the system with additional features such as the user permission feature (Abstract, column 2 lines 23-36, lines 47-57, column 15 lines 35-39).

16. In an analogous art, Burson disclosed an engine an engine wherein the relevant and meaningful content provided to the member responsive to portions of the data provided to the service providers from the web server with permission from the member (Figures 5-6, column 1 lines 54-57, column 2 lines 50-63, column 6 line 66-column 7 line 17).

17. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combined system of MacNaughton and Li with the teachings of Burson to include the user permission feature in order to allow users to select and configure personal information and transactions of interest to the specific user (Li, column 6 line 66-column 7 line 1) since as the volume of available online contents continues to grow exponentially, personalized portals are now confronted with the need to make different types of content available to different consumers based upon their particular preferences and tastes (Li, column 1 lines 53-57).

18. Regarding claim 36, MacNaughton disclosed a system wherein the engine comprises identify management that manages the data double to establish a personal profile, member preferences, member permissions, and activity data for the member; and context management that organizes service provider content, coordinates browsing

Art Unit: 2144

processes, and provides an adaptive framework (Figures 1B, 3, 5, column 4 lines 24-32, column 6 lines 25-37, column 7 lines 14-33, column 8 lines 9-23).

19. Regarding claim 37, MacNaughton disclosed a system wherein the personal site comprises: smart pages, comprising: a log in page; a home page; and inside pages; and an adaptive framework, comprising: selection navigators; and a toolbar (Figure 6, column 3 lines 24-34, lines 51-61, column 9 line 54-column 10 lines 11, column 12 lines 41-49).

20. Regarding claim 38, Li disclosed a system wherein the selection navigators provide direct page searching comprising: a fixed hierarchal structure listing a web site's areas with sections and pages; an explicit SQL criteria search, whereby by the selection navigators gather and dynamically assemble web sites meeting the criteria; and a group SQL criteria, wherein the selection navigators store the criteria, gather and dynamically assemble web sites meeting the criteria and update the web sites when new content in found meeting the criteria (Figures 1-2, 5, 10-12A, 19, column 5 lines 19-33, column 7 lines 54-67, column 13 lines 35-56).

21. Regarding claim 42, Burson disclosed a system wherein the member's identity is not disclosed to the service provider (column 2 lines 50-63).

22. Regarding claim 43, Burson disclosed a system wherein the service provider is provided with all of the data that comprises the data double (Figures 6, column 6 line 66-column 17).

23. Since all the limitations of the claimed invention were disclosed by the combination of MacNaughton, Li, and Burson, claims 35-38 and 42-43 are rejected.

Response to Arguments

24. Applicant's arguments with respect to claims 35-38 and 42-43 have been considered but are moot in view of the new ground(s) of rejection.

25. As the rejection reads, Examiner asserts that the combination of these teachings render the claimed invention obvious.

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Rajan et al. (U.S. Patent Number 6,871,220) titled "System and method for distributed storage and retrieval of personal information" disclosed a system for distributing, storing and retrieving information associated with an end user from one or more information providers between a host computer and a client computer associated with the end user according to the present invention includes a host computer with a processor. The processor aggregates information associated with the end user and transmits the information to the client computer associated with the end user. The processor receives requests concerning the aggregated information from a variety of sources. The processor also receives the previously transmitted aggregated information from the client computer. The processor proceeds to service the received request based on the aggregated information received from the client computer.
- b. Krapf et al. (U.S. Patent Number 6,449,767) titled "System for displaying an integrated portal screen" disclosed a control device for a system for displaying video data includes an output port configured to couple to the video display and

input ports configured to couple to a plurality of sources for display content. An image generator is coupled to the input ports and the output port and generates a portal image to be displayed on the video display as a personalized portal screen. The personalized portal screen has a plurality of integrated display options personalized to a viewer's preferences. Each display option corresponds to one of the sources for display content or content within one of the sources. The display options include viewports that display content from selected sources and further including links to other sources.

c. Livingston et al. (U.S. Patent Number 6,424,979) titled "System for presenting and managing enterprise architectures" disclosed a system providing views of a technical architecture of an enterprise that take into account the content type interest, level of detail and time frame of desired information. A user, with a browser interface, selects a portal specifying the type of content to be viewed. A profile of the user indicates the level of detail and time frame of information to be obtained. The interface provides the user's selection of desired information within the portal in the form of a page request that is converted into queries of a database that seek content satisfying the type, level of detail and time frame attributes of the request. The content is formed into a web page and provided to the interface by the web server. Content is separated into atomic units allowing the information to be rearranged responsive to each user's needs.

27. Refer to the enclosed PTO-892 for details.

Art Unit: 2144

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (703) 305-4665. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MARC D. THOMPSON
MARC THOMPSON
PRIMARY EXAMINER
571.272.3932

Tam T. Phan
July 19, 2005

LP